

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOSEPH BENJAMIN BENN,

Plaintiff,

v.

DIANE NEAL,

Defendant.

Index No. 1:22-cv-00820-GTS-ATB

STIPULATION ALLOWING PLAINTIFF TO FILE A FIRST AMENDED COMPLAINT

WHEREAS, on April 25, 2022 Plaintiff Joseph Benjamin Benn commenced this lawsuit by filing of a Complaint against Defendant Diane Neal (“Defendant”) under the caption *Joseph Benjamin Benn v. Diane Neal*, Case No. 2022-478, in the Supreme Court of the State of New York for the County of Ulster and serving a copy of same upon Defendant on July 8, 2022.

WHEREAS, on August 3, 2022 Defendant removed this lawsuit to the United States District Court for the Northern District of New York.

WHEREAS Plaintiff seeks to file his First Amended Complaint.

IT IS HEREBY STIPULATED, by and between Plaintiff and Defendant, by and through their respective counsel, that:

1. Pursuant to Fed. R. Civ. P. 15(a)(2), Plaintiff may file his First Amended Complaint, a copy of which is attached hereto as **Exhibit A** without exhibits.

2. Defendant does not waive or release any of her defenses, claims, rights, privileges or objections, and Defendant's answer or other response shall be due forty-five (45) days after the First Amended Complaint is filed.

Dated: September 9, 2022

By:

CULLEN AND DYKMAN LLP

BALLARD SPAHR LLP

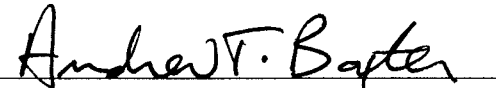
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*Counsel for Plaintiff Joseph Benjamin
Benn*

Counsel for Defendant Diane Neal

IT IS SO ORDERED:



Andrew T. Baxter
U.S. Magistrate Judge

Dated: 9/12/2022
Syracuse, NY